

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION INTO DIVERSIFIED)	
OPERATIONS OF LOCAL EXCHANGE)	ADMINISTRATIVE
TELEPHONE COMPANIES)	CASE NO. 340

O R D E R

This matter arising upon petition of Mountain Rural Telephone Cooperative Corporation, Inc. ("Mountain RTCC") filed December 23, 1991 pursuant 807 KAR 5:001, Section 7, for confidential protection of Exhibits 1 and 3 of its responses to the Commission's Order of October 25, 1991 on the grounds that disclosure of the information would constitute an invasion of Mountain RTCC's corporate privacy and is likely to cause Mountain RTCC competitive injury, and it appearing to this Commission as follows:

Exhibits 1 and 3 were filed as part of Mountain RTCC's responses to the Commission's Order of October 25, 1991. Exhibit 1 contains journal entries which disclose Mountain RTCC's exact dollar investments in the capitalization of subsidiary corporations. Exhibit 3 provides excerpts from the minutes of Mountain RTCC's corporate board meetings, some of which provide the exact amounts invested by Mountain RTCC in its subsidiary corporations, as well as the projected capital investment cost to be incurred for construction and operation. The exhibits do not

identify what information contained within them Mountain RTCC considers sensitive and entitled to protection from disclosure.

The information contained in the exhibits is not known outside of Mountain RTCC's business and is known only by its employees who have a business need to use the information. Mountain RTCC seeks to preserve and protect the confidentiality of the information by all appropriate means.

Information filed with the Commission is required by KRS 61.872(1) to be available for public inspection unless specifically exempted by statute. Exemptions from inspection are provided in KRS 61.878(1). That section lists 10 categories of information which may be protected as confidential. To obtain confidential protection of information filed with the Commission, the Commission has promulgated 807 KAR 5:001, Section 7. That regulation establishes procedures which must be followed in order to establish that information is entitled to protection from public disclosure. One requirement provided in subsection (2)(a)(2) is that the material sought to be protected must be clearly identified. The petition filed by Mountain RTCC does not identify the material sought to be protected and therefore is insufficient.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that:

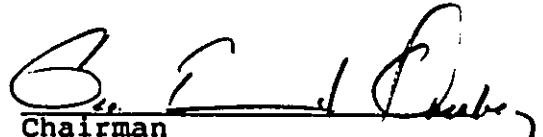
1. The petition to protect as confidential Exhibits 1 and 3 filed by Mountain RTCC in response to the Commission's Order of October 25, 1991 be and is hereby denied.

2. Exhibits 1 and 3 shall be held and retained by this Commission as confidential and shall not be open for public inspection for a period of 20 days from the date of this Order during which Mountain RTCC shall be allowed to file a petition in conformity with the requirements of 807 KAR 5:001, Section 7.


3. If at the expiration of the 20-day period a petition has not been filed, the exhibits shall, without further Orders herein, be placed in the public record.

Done at Frankfort, Kentucky, this 31st day of January, 1992.

PUBLIC SERVICE COMMISSION


Chairman

Vice Chairman


Commissioner

ATTEST:


Executive Director